

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:08-CR-00270-F-1

UNITED STATES OF AMERICA,)	
)	
v.)	<u>ORDER</u>
)	
WALTER CURTLIN JONES,)	
Defendant.)	

This matter is before the court on Walter Curtlin Jones' Motion for Free Sentence Transcripts [DE-47]. In his motion, Jones requests a copy of his sentencing transcript and states that he is unable to pay any fees that may be associated with the production of the transcript.

Title 28, United States Code, Section 753(f) addresses the circumstances under which transcripts may be provided to an indigent defendant at the government's expense. The statute, in pertinent part, provides:

Fees for transcripts furnished in criminal proceedings to persons proceeding under the Criminal Justice Act (18 U.S.C. § 3006A), or in habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis, shall be paid by the United States out of moneys appropriated for those purposes. Fees for transcripts furnished in proceedings brought under § 2255 of this title to persons permitted to sue or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose if the trial judge or a circuit judge certifies that the suit or appeal is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal.

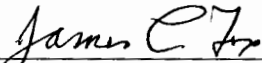
28 U.S.C. § 753(f). An indigent defendant may be entitled to transcripts at the government's expense if he has stated a proper ground for relief and the transcripts are indispensable. *United States v. Glass*, 317 F.2d 200, 202-03 (4th Cir. 1963).

In this case, Jones has not stated any specific need for his sentencing transcript. Rather, Jones merely states that he is "currently engaged in ongoing litigative action." Based on this

explanation, the court is unable to find that Jones has sufficiently stated a particularized need for his sentencing transcript. Accordingly, Jones' Motion for Free Sentence Transcripts [DE-47] is DENIED.

SO ORDERED.

This, the 5th day of February, 2014.



JAMES C. FOX
Senior United States District Judge